

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	CASE NO. 10-93904-BHL-11
)	
EASTERN LIVESTOCK CO., LLC,)	(Judge Basil H. Lorch III)
)	
Debtors.)	
)	

AFFIDAVIT OF ERNEST E. COPENHAVER, JR.

COMMONWEALTH OF VIRGINIA)
) ss:
COUNTY OF WASHINGTON)

Ernest E. Copenhaver, Jr., being first duly sworn upon his oath, states as follows:

1. I am making this affidavit based upon personal knowledge (except where stated on information and belief), I am over 18 years of age, and I am competent to testify to all of the matters stated in this affidavit.

2. I am the Vice President and Regional Supervisor for Agricultural Lending of The First Bank & Trust Company ("First Bank"), located at 18528 Lee Highway, Abingdon, Virginia. First Bank had a lending relationship with Thomas P. Gibson and Patsy M. Gibson (jointly, "Gibsons") of New Albany, Indiana. I am the primary account manager for First Bank's lending to the Gibsons, and have been the primary account manager since First Bank started lending to the Gibsons.

3. First Bank loaned money directly to the Gibsons for the purchase of cattle that would be shipped to various farms or feedlots. Thomas Gibson would take title to such cattle personally and arrange for their care and feeding. Among other security interests for such transactions, First Bank would take a purchase money security interest in all cattle that Thomas Gibson purchased with First Bank's money. First Bank's lending relationship with the Gibsons is evidenced by a valid note, security agreement and perfected by appropriate UCC filing. First Bank's perfected security interest in this lending relationship with the Gibsons included not only purchase money interest in cattle, and products, and proceeds thereof, but also all accounts such as cash, accounts receivable, and commodity accounts.

4. First Bank would lend money for the Gibsons' purchase of cattle only upon First Bank's receipt of an invoice or invoices from the Gibsons as evidence of such a purchase that would specify the total and average weight of the cattle, number of head of cattle purchased, and the location of the farm or feedlot to which the cattle were shipped. Upon receipt of an invoice or invoices relating to the Gibsons' purchase of cattle, First Bank would transfer funds electronically into the Gibsons' account with First Bank in an amount corresponding to the purchase price from the invoice or invoices, which would allow the Gibsons to write drafts as purchase money for such cattle.

5. On a regular basis, I traveled to the locations at which the Gibsons kept their cattle assets to make sure that First Bank was fully secured, by confirming that the cattle listed as assets of the Gibsons in which First Bank had security were, in fact, located at the particular farm or pasture identified by the Gibsons.

6. From approximately September 26, 2010 to September 30, 2010, I traveled to several locations of farms or pastures at which the Gibsons held cattle and confirmed the existence of thousands of head, worth millions of dollars of the Gibsons' assets. During these visits, I would inspect the condition of the cattle and assess the extent of the care provided. As part of this process, I would speak to the caretakers about the health and prospects for the cattle. On Sunday September 26, 2010, I observed 2539 head of cattle owned by the Gibsons, worth over \$2 million, on a farm in the Southeastern United States. The caretaker with whom I spoke told me, "these cattle will do well on feed in Texas." As explained below, at the time of his petition for bankruptcy, Thomas Gibson could not account for the whereabouts of these assets.

7. From approximately November 11, 2010 to December 14, 2010, I conducted additional inspections of the cattle that were previously at the farms and pastures I confirmed as containing the Gibsons' assets and discovered that approximately 8,000 cattle financed by First Bank were missing. I spoke again with several of the caretakers at these locations who could provide little to no information as to who moved the cattle, how they were moved, where they were sent, or virtually any other identification or tracking information. As of the filing of the petition for bankruptcy by the Gibsons, they could no longer account for these millions of dollars of assets. I have reasonable suspicion that these cattle were transported to other farms or feedlots, sold, slaughtered, or are currently being prepared for slaughter without proper recognition of First Bank's security interest. Based upon the information from the caretakers, and other information I have observed, it is reasonable to conclude that many of these cattle may

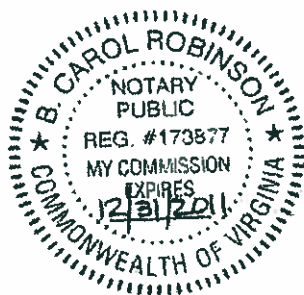
have gone to feedlots in Texas, specifically lots owned by Cactus Feeders, Friona Industries, and JBS Five Rivers.

8. In addition to the information produced by the Three Major Feedlots in the interpleader proceedings, I have reviewed other documents that suggest Thomas Gibson's personal cattle assets went to the Three Major Feedlots in the Fall of 2010, some under suspicious circumstances. On April 5, 2011, I met with Trustee Knauer and his financial professional Patrick O'Malley of DSI to review some of the records the Trustee has in his possession about the business activity of Eastern Livestock Co., LLC and affiliated businesses. Attached to this affidavit as Exhibit 1, is a 4 page excerpt from hauling and trucking records relating to Eastern Livestock Co., LLC. I understand from the Trustee and Mr. O'Malley that these are business records maintained in the ordinary course, accurately reflect the transactions described at the time of recording, and have indicia of reliability. The highlighted portions of these records show cattle hauled from locations at which I previously confirmed the presence of Thomas Gibson's assets. But, instead of listing the origin location of the shipments as Thomas Gibson affiliated pastures, the haulers were instructed to "say" or "write down" other origin locations. The highlighted suspicious transactions show final destinations of Yuma Feedyard and Kurer Feedyard both of which are owned by JBS Five Rivers, the feedyard affiliate of J&F Oklahoma Holdings, and Friona Feedyard, owned by Friona Industries.

Sworn testimony concluded.


Ernest E. Copenhaver, Jr.

Before me appeared Ernest E. Copenhaver, Jr., this 11 day of April, 2011, who acknowledged under oath that the above statements are true, except as to those statements expressly made on his knowledge, information and belief.



B. Carol Robinson
Notary Public

EXHIBIT 1

EASTERN LIVESTOCK TRUCKING LIST

DATE: 10/11/10 FRIDAY

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Trucking Company	Name	Head Unit #	Weight	Origin	Lot #	Destination	E %	RATE	Shipper or Rep.
Code: EASWES02	MARY	55		SAY LEXINGTON,KY		YUMA FEEDLOT			
17. EAST-WEST	EX			LANESVILLE,IN		YUMA,CO		3.00	SCOTT GIBSON
Code: EASWES02	JAMES	55		SAY LEXINGTON,KY		YUMA FEEDLOT			
18. EAST-WEST	EX			LANESVILLE,IN		YUMA,CO		3.00	SCOTT GIBSON
Code: EASWES02				SAY LEXINGTON,KY		YUMA FEEDLOT			
19. EAST-WEST	EX			LANESVILLE,IN		YUMA,CO		3.00	SCOTT GIBSON
Code: KELRAM01				SAY LEXINGTON,KY		YUMA FEEDLOT			
20. KELLY RAMEY	261			LANESVILLE,IN		YUMA,CO	5%	3.00	SCOTT GIBSON
Code: SHALEE01		417-342		SAY LEXINGTON,KY		YUMA FEEDLOT			
21. SHANE LEER	261	8608		LANESVILLE,IN		YUMA,CO	5%	3.00	SCOTT GIBSON
Code: SANGLA01	MARK				1	YUMA FEEDLOT			
22. SANDY GLASS	261			HOPKINSVILLE,KY		YUMA,CO	5%	3.00	BILL CHASE
Code: GARTH006				SUP. 10209B					
23. GARY THOMPSON	261			BELLE CHASE,LA		WITCHATA FALLS,TX	5%	3.00	BENJAMIN BREWTON
Code: GEOHOR03				JRS 10-2119	2	STRATFORD FYD			
24. GEORGE HORA	261			BOLIVAR,MO		STRATFORD,TX	5%	3.00	JIM HACKER
Code: GEOHOR03				JRS 10-2119	2	STRATFORD FYD			
25. GEORGE HORA	261			BOLIVAR,MO		STRATFORD,TX	5%	3.00	JIM HACKER
Code: CRYLIV01				JRS 10-210		STRATFORD FYD			
26. CRYSTAL LIV.	261			BOLIVAR,MO		STRATFORD,TX	5%	3.00	TROY WATSON
Code: BERCAT02					3	YUMA FEEDLOT			
27. BERTRAM CATTLE	261			LAMAR,MO		YUMA,CO	5%	3.00	CHAD SCHUCHMAN
Code: DOUD06						YUMA FEEDLOT			
28. DOUBLE D	261			LAMAR,MO		YUMA,CO	5%	3.00	CHAD SCHUCHMAN
Code: RRFAR07					2	YUMA FEEDLOT			
29. RR FARMS	261			LAMAR,MO		YUMA,CO	5%	3.00	CHAD SCHUCHMAN
Code: CRYLIV01						YUMA FEEDLOT			
30. CRYSTAL LIV.	261			LAMAR,MO		YUMA,CO	5%	3.00	CHAD SCHUCHMAN
Code: CRYLIV01				SAY ATHENS,GA					
31. CRYSTAL LIV.	261			OKOLONA,MS		CACTUS / CACTUS,TX	5%	3.00	ED EDENS
Code: EASWES02				SAY ATHENS,GA					
32. EAST-WEST	EX			OKOLONA,MS		CACTUS / CACTUS,TX		3.00	ED EDENS

EASTERN LIVESTOCK TRUCKING LIST

DATE: 10/4/10 MONDAY

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Trucking Company	Name Unit #	Head Weight	Origin	Lot #	Destination	E %	RATE	Shipper or Rep.
Code: PRUFAR04			8848&8849 PRAIRIE HILL, TX	1	SWISHER / TULIA, TX	5%	3.00	RUSS DE CORDOVA
49. PRUITT FARMS	261							
Code: PRUFAR04			8848&8849 PRAIRIE HILL, TX	1	SWISHER / TULIA, TX	5%	3.00	RUSS DE CORDOVA
50. PRUITT FARMS	261							
Code: BOBEVE01			8848&8849 PRAIRIE HILL, TX	1	SWISHER / TULIA, TX	5%	3.00	RUSS DE CORDOVA
51. BOB EVERETT	261							
Code: BOBEVE01		85	8848&8849 PRAIRIE HILL, TX	1	SWISHER / TULIA, TX	5%	3.00	RUSS DE CORDOVA
52. BOB EVERETT	261	HFRS						
Code: SOUTRA02			SUP.4752B BRISCOE, TX		ROBERT NICHOLS CHATTANOOGA, OK	5%	3.00	CHARLES HICKEY
53. SOUTHERN TRAN.	261							
Code: JVLIV06			SUP.10121 COTULLA, TX		STRATFORD FYD STRATFORD, TX	5%	3.00	JAKE HALVERSON
54. JJ LIVESTOCK	261							
Code: RICRIV01			SUP.9367 KAYCEE, WY		ROBERT NICHOLS WALTERS, OK	5%	3.00	RAY MADER
55. RICHARD RIVERS	261							
Code: REPOIS01			PRODUCER L/S LINGEL, WY		ROBERT NICHOLS WALTERS, OK		3.15	DANNY
56. REPS.DISPATCH	EX							
Code: BUDHED01			CHILHOWIE, VA		CUTTING COLUMBUS, OH	5%	3.00	KENNY PLOWMAN
57. BUDDY HEAD	261							
Code: BUDHED01			ABINGDON, VA		CUTTING COLUMBUS, OH	5%	3.00	KENNY PLOWMAN
58. BUDDY HEAD	261							
Code: BUDHED01			CUTTING COLUMBUS, OH	FW	SUPREME / LIBERAL, KS	5%	3.00	GRANT GIBSON
59. BUDDY HEAD	261							
Code: BUDHED01			CUTTING COLUMBUS, OH	FW	SUPREME / LIBERAL, KS	5%	3.00	GRANT GIBSON
60. BUDDY HEAD	261							
Code: CLOTRU02	DENNY	64	TURN IN CHILHOWIE, VA					
61. CLOONEN	261		LANESVILLE, IN		KUNER / KERSEY, CO	5%	3.00	SCOTT GIBSON
Code: CLOTRU02		63	TURN IN CHILHOWIE, VA					
62. CLOONEN	261		LANESVILLE, IN		KUNER / KERSEY, CO	5%	3.00	SCOTT GIBSON
Code: CTLIV01	PAYTON	63	TURN IN CHILHOWIE, VA					
63. CT LIVESTOCK	EX		LANESVILLE, IN		KUNER / KERSEY, CO		3.00	SCOTT GIBSON
Code: JEFOFF02		59						
64. JEFF OFFICER	261	STRS	DUNLAP, TN	2	YUMA FEEDLOT YUMA, CO	5%	3.00	MARK HOUSTON

DATE: 10/29/10 FRIDAY

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Trucking Company	Name	Head Unit #	Weight	Origin	Lot #	Destination	E %	RATE	Shipper or Rep.
Code: STAKAN01				6799A		ROBERT NICHOLS			
65. STAR KAN	261			TOOELE,UT			5%	3.00	RC BUCKLEY
Code: STAKAN01				SUP.6776A		ROBERT NICHOLS			
66. STAR KAN	261			ROOSEVELT,UT			5%	3.00	SHANE FROST
Code: REPDIS01				CCV 7169	SA	DOUG SUNDERMAN	PRO	RATED	
67. REPS.DISPATCH	EX			PINEDALE,WY		NORFOLK,NE		3.20	BOB JETT
Code: REPDIS01				CCV 7169	SA	DOUG SUNDERMAN	PRO	RATED	
68. REPS.DISPATCH	EX			PINEDALE,WY		NORFOLK,NE		3.20	BOB JETT
Code: CHEBAY01				SUP.9336		ROBERT NICHOLS	5%	3.00	JERRY WEEKES
69. CHESTER BAY	261			MEDICINE BOW,WY					
Code: CARTRU06				NORTHERN L/S 1046		MALTA,ID		3.15	FRED SAUNDERS
70. CARCUSO				BONDURENT,WY					
Code: HEATUR01				SUP.9334A		ROBERT NICHOLS		3.05	SCOTT LARAMORE
71. HEATH&TURPIN	EX			BAGGS,WY					
Code: GWTRU01					1		5%	3.00	ED BRICKER
72. LLT	261			CHEROKEE,OK		SUPREME / LIBERAL,KS			
Code: GWTRU01					1		5%	3.00	ED BRICKER
73. LLT	261			CHEROKEE,OK		SUPREME / LIBERAL,KS			
Code: GWTRU01					1		5%	3.00	ED BRICKER
74. LLT	261			CHEROKEE,OK		SUPREME / LIBERAL,KS			
Code: TRSMI01					3		5%	3.00	GARY SEALS
75. TR SMITH	261			DUNLAP,TN		YUMAYUMA,CO			
Code: GWTRU01					2	CHRIS 940-841-1503	5%	3.00	CHAD
76. LLT	261			BOIS D ARC,MO	59	BOWIE,TX			SCHUCHMAN
Code: SOUHAU01					2		5%	3.00	CHAD
77. SOUTHLAND	261			BOIS D ARC,MO		BOWIE,TX			SCHUCHMAN
Code: CRYLIV01				BOIS D ARC,MO /			5%	3.00	CHAD
78. CRYSTALL LIV	261			COFFEYVILLE,KS		WEBORG / PENDER,NE			SCHUCHMAN
Code: COOTRU07				SAY CHILHOWIE,VA			5%	3.00	WILLIE DOWNS
79. COOK TRUCK	261			RICHMOND,KY		GILCREST / GILCREST,CO			
Code: EASWES02				SAY CHILHOWIE,VA	3				WILLIE DOWNS
80. EAST WEST				RICHMOND,KY		GILCREST / GILCREST,CO		3.00	WILLIE DOWNS

DATE: 11/4/10 THURSDAY

EASTERN LIVESTOCK TRUCKING LIST

PAGE 2

Trucking Company	Name	Head Unit #	Weight	Origin	Lot #	Destination	E %	RATE	Shipper or Rep.
Code: COLBRO07	CLIFF			FT.DRUM,FL	1	ROBERT RAWLS BROOKHAVEN,MS			
17. COLE BRO	261						5%	3.00	CHARLES STEVENS
Code: SOUHAU01				MOSELEY 42-2	1	FRIONA FYD			
18. SOUTHLAND	261			BAINBRIDGE,GA		FRIONA, TX	5%	3.00	JOHN
Code: SOUHAU01				MOSELEY 42-2	1	FRIONA FYD			
19. SOUTHLAND	261			BAINBRIDGE,GA		FRIONA, TX	5%	3.00	JOHN
Code: SOUHAU01				TURNER LOT 6B	1	FRIONA FYD			
20. SOUTHLAND	261			ASHBURN,GA		FRIONA, TX	5%	3.00	DANNY
Code: EASWES02				DR.MARTIN	3	FRIONA FYD			
21. EAST-WEST	EX			JEFFERSONVILLE,IN		FRIONA, TX		3.00	JOHN F. GIBSON
Code: EASWES02				DR.MARTIN	3	FRIONA FYD			
22. EAST-WEST	EX			JEFFERSONVILLE,IN		FRIONA, TX		3.00	JOHN F. GIBSON
Code: EASWES02				BRACK PAY TRUCKING	3				JOHN F. GIBSON
23. EAST-WEST	EX			MITCHELL,IN		DANVILLE,KS		3.00	BRACK BRISCOE
Code: CTLIV01				SUP.N10471	2	YUMA FYD			
24. CT LIVESTOCK	EX			DUNLAP,IA		YUMA,CO		3.10	BOBBY SPENCER
Code: INGTRU01	JIM			SUP.7239	2	HERITAGE / SUBLETTE,KS	5%	3.00	KEITH GOFF
25. INGLAND	261			ULYSSES,KS					
Code: CHEBAY01				SUP.7239		HERITAGE / SUBLETTE,KS	5%	3.00	KEITH GOFF
26. CHESTER BAY	261			ULYSSES,KS					
Code: DANWER01		80			F/W	FRIONA FYD			
27. DAN WERNE	261			LOUISVILLE,KY		FRIONA, TX	5%	3.00	BILL CHASE
Code: EASWES02		79			F/W	FRIONA FYD			
28. EAST-WEST	EX			LOUISVILLE,KY		FRIONA, TX		3.00	BILL CHASE
Code: RRFAR07									
29. RR FARMS	138			ANTHONY,KS		SUPREME / LIBERAL,KS	E	3.00	JEFF PARSONS
Code: RRFAR07									
30. RR FARMS	261			ANTHONY,KS		SUPREME / LIBERAL,KS	E	3.00	JEFF PARSONS
Code: EASWES02					3				
31. EAST-WEST	EX			ANTHONY,KS		SUPREME / LIBERAL,KS	E	3.00	JEFF PARSONS
Code: EASWES02					3				
32. EAST-WEST	EX			ANTHONY,KS		SUPREME / LIBERAL,KS	E	3.00	JEFF PARSONS